

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL BANE,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	NO. 09-2798
v.	:	
	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 18th day of June 2010, upon consideration of the Motion to Dismiss Plaintiff Michael Bane's Second Amended Complaint filed by Defendants Richard Brehant, Anthony P. DiLacqua, Jeanette Lake Dooley, Benjamin Frazier, Daniel Gorman, David Harte, Lisa King, David Pinkerton, Charles H. Ramsey, the City of Philadelphia, and Robert Zielinski (City Defendants) (Doc. No. 29), Plaintiff's Response in Opposition to City Defendants' Motion To Dismiss (Doc. No. 32), the Motion to Dismiss Plaintiff's Second Amended Complaint filed by Defendants Eileen Bonner, Thomas Corbett, Charles Meissner, and Frank Pawlowksi (Commonwealth Defendants) (Doc. No. 34), and Plaintiff's Response in Opposition to Commonwealth Defendants' Motion to Dismiss (Doc. No. 39), and after a complete and independent review of Plaintiff's Second Amended Complaint (Doc. No. 28) and the RICO Case Statement (Doc. No. 45), it is **ORDERED** as follows:

1. City Defendants' Motion to Dismiss (Doc. No. 29) is **GRANTED IN PART AND DENIED IN PART**; the Court will schedule a pre-trial conference pursuant to Federal Rule of Civil Procedure 16 with Plaintiff and City Defendants as to the remaining counts.

2. Commonwealth Defendants' Motion to Dismiss (Doc. No. 34) is **GRANTED**.
3. As to Commonwealth Defendants, Plaintiff's Second Amended Complaint is **DISMISSED** in its entirety **WITH PREJUDICE**.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.